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FILED

SEP 12 2013

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JULIE A. RICHARDS, CLERK
US DISTRICT COURT, EDNC
BY mw DEP CLK

IN RE: ORDER REQUIRING APPLE,
INC. TO ASSIST IN THE EXECUTION
OF A SEARCH WARRANT ISSUED BY
THIS COURT

Case No. 5:13-mj-1904-2

ORDER

Before the Court is the government's motion for an order requiring Apple, Inc. ("Apple") to assist law enforcement agents in the search of an Apple iOS device. Upon consideration of the motion, and for the reasons stated therein, it is hereby

ORDERED that Apple assist law enforcement agents in the examination of the iPhone with Model No. A1387, Serial No. C38H5ESADTD3, IMEI/MEID No. 99000109045220, and FCC ID No. BCG-E2430A (the "IOS Device"), acting in support of a search warrant issued separately by this Court;


FURTHER ORDERED that Apple shall provide reasonable technical assistance to enable law enforcement agents to obtain access to unencrypted data ("Data") on the iOS Device.

FURTHER ORDERED that, to the extent that data on the iOS Device is encrypted, Apple may provide a copy of the encrypted data to law enforcement, but Apple is not required to attempt to decrypt, or otherwise enable law enforcement's attempts to access any encrypted data;

FURTHER ORDERED that Apple's reasonable technical assistance may include, but is not limited to, bypassing the iOS Device user's passcode so that the agents may search the iOS Device, extracting data from the iOS Device and copying the data onto an external hard drive or other storage medium that law enforcement agents may search, or otherwise circumventing the iOS Device's security systems to allow law enforcement access to Data and to provide law enforcement with a copy of encrypted data stored on the iOS Device;

FURTHER ORDERED that although Apple shall make reasonable efforts to maintain the integrity of data on the iOS Device, Apple shall not be required to maintain copies of any user data as a result of the assistance ordered herein; all evidence preservation shall remain the responsibility of law enforcement agents.

DATED this 11th day of SEPTEMBER, 2013.



United States Magistrate Judge James E. Gates
Eastern District of North Carolina